



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Christian WENGERTER, et al.  
Application No.: 10/501,905  
Filed: July 20, 2004  
For: CONSTELLATION REARRANGEMENT FOR TRANSMIT  
DIVERSITY SCHEMES

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Foreign Search Report dated November 25, 2005) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: February 8, 2006

JEL/jpf

ATTORNEY DOCKET NO. L7725.04105  
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L STREET, NW, Suite 850  
P.O. Box 34387  
WASHINGTON, DC 20043-4387  
TELEPHONE: (202) 785-0100  
FACSIMILE: (202) 408-5200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Christian WENGERTER, et al.

Application No.: 10/501,905

Filed: July 20, 2004

For: CONSTELLATION REARRANGEMENT FOR TRANSMIT  
DIVERSITY SCHEMES

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

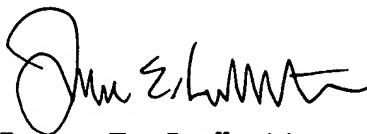
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the documents listed on the attached Form PTO 1449. Attached is a European Office Action dated November 25, 2005. The Wengerter reference cited therein was filed in the Information Disclosure Statement of October 20, 2004.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and

appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: February 8, 2006

JEL/jpf

ATTORNEY DOCKET NO. L7725.04105  
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L STREET, NW, Suite 850  
WASHINGTON, DC 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200

